

**ORDINANCE NO. 3681**

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF ECC 5.05.127.1 ON SPAYING OR NEUTERING OF ADOPTED DOGS AND CATS; AMENDING PROVISIONS OF ECC 5.05.127.4 ON PENALTIES FOR FAILURE TO SPAY OR NEUTER ADOPTED DOGS AND CATS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

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WHEREAS, the code currently requires dogs and cats that are surgical candidates for spaying or neutering to be spayed or neutered before they can be adopted from the city's designated shelters; and

WHEREAS, the aforementioned requirement delays the adoption of the animals when their surgeries cannot be timely scheduled with the city's designated veterinarians; and

WHEREAS, delays in adoptions leads to shortage of space at the city's designated shelters; and

WHEREAS, the City Council finds that to address shortage of space at the city's designated shelters, it is acceptable to permit the adoption of dogs and cats before their scheduled surgeries for sterilization as long as the person adopting the pet promises to keep the surgery appointment for the pet's sterilization with the city's designated veterinarian, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO  
ORDAIN AS FOLLOWS:

Section 1. A new subsection D of ECC 5.05.127.1 Spay or neuter of owner-surrendered and stray animals required. is hereby adopted to read as follows:

**5.05.127.1 Spay or neuter of owner-surrendered and stray animals required.**

...

D. When scheduling prohibits a timely spay or neuter surgery by the city's designated veterinarian(s), the new adoptive family member will be allowed to take the animal home after signing an affidavit promising to return the animal to the designated veterinarian(s) at a scheduled appointment time made by the animal control authority. Failure to keep the scheduled appointment for the animal will constitute a violation of this chapter with the adoptive person subject to a penalty under 5.05.127.4.

Section 2. Subsection B of ECC 5.05.127.4 Failure to spay or neuter - Penalties.

is hereby amended to read as follows:

**5.05.127.4 Failure to spay or neuter – Penalties.**

...

**B. Penalties.**

1. First infraction: punishable by a fine of \$100.00.
2. Second and subsequent infractions: punishable by a fine of \$250.00.
3. If said animal is taken up by animal control while running at large in violation of ECC 5.05.050, the fines established above shall be doubled, up to the maximum allowed under RCW 7.80.120.
4. All fines set forth herein shall be in addition to any other fine or deposit forfeiture otherwise provided by city ordinance.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction,

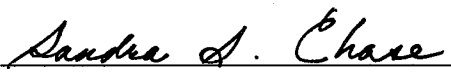
such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:

  
MAYOR GARY HAAKENSEN

ATTEST/AUTHENTICATED:

  
CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY   
W. SCOTT SNYDER

FILED WITH THE CITY CLERK:	03/14/2008
PASSED BY THE CITY COUNCIL:	03/18/2008
PUBLISHED:	03/24/2008
EFFECTIVE DATE:	03/29/2008
ORDINANCE NO. <u>3681</u>	

## SUMMARY OF ORDINANCE NO. 3681

of the City of Edmonds, Washington

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On the 18th day of March, 2008, the City Council of the City of Edmonds, passed Ordinance No. 3681. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF ECC 5.05.127.1 ON SPAYING OR NEUTERING OF ADOPTED DOGS AND CATS; AMENDING PROVISIONS OF ECC 5.05.127.4 ON PENALTIES FOR FAILURE TO SPAY OR NEUTER ADOPTED DOGS AND CATS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 19th day of March, 2008.

  
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CITY CLERK, SANDRA S. CHASE

# Affidavit of Publication

STATE OF WASHINGTON,  
COUNTY OF SNOHOMISH

} S.S.

The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice

SUMMARY OF ORDINANCE NO. 3681  
of the City of Edmonds, Washington  
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The full text of this Ordinance will be mailed upon request.  
DATED this 19th day of March, 2008.  
CITY CLERK, SANDRA S. CHASE  
Published: March 24, 2008.

Summary of Ordinance No. 3681

Amending provisions of ECC

a printed copy of which is hereunto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

March 24, 2008

and that said newspaper was regularly distributed to its subscribers during all of said period.

*Jody Tholl*

Principal Clerk

Subscribed and sworn to before me this

24th

day of March, 2008

Notary Public in and for the State of Washington, residing in Everett, Snohomish County.

RECEIVED

'APR 01 2008

EDMONDS CITY CLERK

Account Name: City of Edmonds

Account Number: 101416

